IN THE HIGH COURT OF BOMBAY AT GOA
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CONTEMPT PETITION NO. 14 OF 2002

1. Mater Dei Institution
Saligao, Bardez, Goa,
through its Managing
Committee/Board of
Trustees of Anacleto Lobo
Memorial Educational Foundation
Trust, represented by
Executive Trustee/Member
Miss Cleta H. Lobo, and

2. Miss Cleta H. Lobo,
Principal Mater Dei Institution,
Saligao, Bardez, Goa. ... Petitioners.

Versus

1. State of Goa, through
its Chief Secretary,
Secretariat, Panaji,
Goa, and

2. The Director of Education,
Directorate of Education,
Panaji, Goa. ... Respondents.

Smt. A. A. Agni, advocate for the petitioners.

Shri Guru Shirodkar, Addl. Govt. Advocate for the respondents.

CORAM : F. I. REBELLO, J.

DATE : 26th June, 2003.

ORAL JUDGMENT

By letter dated 21st January, 2003, the Director of Education had written to the Principal, Mater Dei Institution that whatever documents they had with them they had already given to the Institution. The allegations of the contemners are that all the documents have not been given as requested for.

2. The respondents are seeking to hold an enquiry

against the petitioners which may result in civil consequences to the petitioners. In these circumstances, if the respondents seek to rely on any documents in the enquiry, the petitioners are bound to give a copy of the said documents. If those documents are not made available to the petitioners, then those documents cannot be relied upon by the respondents at the enquiry. On behalf of the respondents, learned Additional Government Advocate, on taking instructions, states that the respondents will not rely on any documents, copies of which are not given to the petitioners.

3. Considering the above, in my opinion, it is not necessary to proceed with the contempt petition. Accordingly, contempt petition disposed of with no order as to costs.

F. I. REBELLO, J.

mc.